

R E M A R K S

Claim 1 was amended to include a feature of twice amended claim 3. Such feature is supported in the specification on page 5, lines 11 to 12.

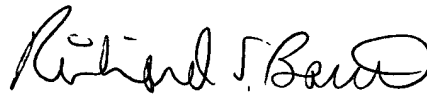
Enclosed is a MARKED UP VERSION OF THE AMENDMENTS TO THE CLAIMS.

With respect of Rule 116, entry of the above amendments is respectfully requested, since the amendments place the application in better form for an appeal, should an appeal be necessary.

Reconsideration is requested. Allowance is solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



---

RICHARD S. BARTH  
REG. NO. 28,180

FRISHAUF, HOLTZ, GOODMAN, LANGER & CHICK, P.C.  
767 THIRD AVENUE - 25TH FLOOR  
NEW YORK, NEW YORK 10017-2023  
Tel. No. (212) 319-4900  
Fax No. (212) 319-5101  
RSB/rsr

Enclosures: (1) PETITION FOR EXTENSION  
(2) MARKED UP VERSION OF THE AMENDMENTS TO THE CLAIMS

MARKED UP VERSION OF THE AMENDMENTS TO THE CLAIMS

1. (Twice Amended) A method of analyzing a target nucleic acid by applying a nucleic acid amplification reaction to a test solution, said method comprises:

(a) performing a nucleic acid amplification reaction of the target nucleic acid to provide nucleic acid amplification products including amplified nucleic acid in a test solution containing a forward primer and a reverse primer, a substrate comprising nucleotides, wherein at least one of said nucleotides is labeled with a marker molecule capable of generating a detectable signal, a nucleic acid polymerase, and a target nucleic acid molecule;

(b) measuring a signal from the marker molecule in the test solution after initiation of the nucleic acid amplification reaction;

(c) evaluating [the mobility] a fluctuation motion of the amplified nucleic acid which is labeled with the marker molecule, in the test solution on the basis of the signal detected; and

(d) quantifying the target nucleic acid molecule on the basis of evaluation results.

3. (Thrice Amended) A method according to claim 2, wherein, in the measurement step, [a fluctuation motion of the amplified nucleic acid labeled with the marker molecule] the measurement is performed in a fluid [is measured].